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21 **IN THE UNITED STATES DISTRICT COURT**
22 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
23 **EASTERN DIVISION**

24 CAROLYN CLARK, et al.,

25 Case No.: 5:22-CV-01839-JGB-SHK

26 Plaintiffs,

27
**STIPULATION FOR
CONTINUANCE OF
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT OR, IN
THE ALTERNATIVE, TO DENY
CLASS CERTIFICATION AND OF
SCHEDULING CONFERENCE**

28 v.

INCOMM FINANCIAL SERVICES,
INC.,

Defendant.

Hon. Jesus G. Bernal
Hearing Date: June 10, 2024
Time: 9:00 a.m.
Courtroom: 1

29 STIPULATION FOR CONTINUANCE OF SUMMARY JUDGMENT MOTION AND
30 SCHEDULING CONFERENCE

1 Plaintiff Carolyn Clark (“Plaintiff”), and Defendant InComm Financial
2 Services, Inc. (“InComm”) (together, the “Parties”), through their counsel, hereby
3 stipulate to, and request that the Court, extend the deadline for Plaintiff to respond
4 to Defendant’s Motion for Summary Judgment or, in the Alternative, to Deny Class
5 Certification (“Motion”), and for Defendant to respond to Plaintiff’s response.

6 WHEREAS, on March 4, 2024, InComm filed the Motion (ECF No. 143);

7 WHEREAS, Plaintiff previously requested and the Parties agreed to extend
8 the deadline for Plaintiff to respond by Opposition to the Motion, agreeing also to
9 an extension of time for InComm to file its Reply to Plaintiff’s Opposition;

10 WHEREAS, the Parties previously filed a stipulation requesting that the Court
11 order a briefing schedule that would accommodate these agreed upon extensions of
12 time, and the Court granted that request (ECF No. 150);

13 WHEREAS, Plaintiff’s response to the Motion is currently due on May 3,
14 2024, Defendant’s Reply is due on May 24, 2024, and the hearing for the Motion is
15 set for June 10, 2024; and

16 WHEREAS, Plaintiff has requested and the Parties have agreed to a one-week
17 extension of the briefing schedule; and

18 WHEREAS, on April 23, 2024, the Court issued an Order Setting Scheduling
19 Conference (“Order”) setting a scheduling conference for this matter for May 20,
20 2024 with a Joint Rule 26(f) Report to be filed not later than 14 days before the
21 scheduling conference (ECF No. 156); and

22 WHEREAS, Plaintiff has requested and the Parties agreed to an eight-day
23 extension of the Order’s schedule;

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1 NOW, THEREFORE, Plaintiff and InComm hereby stipulate, agree, and
2 jointly request that the Court extend the deadlines for Plaintiff to respond to the
3 Motion, for Defendant to file a Reply, for the hearing on the Motion, and for the
4 scheduling conference and Joint Rule 26(f) Report as follows:

5 The deadline for Plaintiff to file her Opposition to the Motion is May 10, 2024;

6 The deadline for InComm to file a Reply to Plaintiff's Opposition is May 31,
7 2024;

8 The hearing for InComm's Motion will be scheduled for June 17, 2024 at 9:00
9 a.m., or as soon thereafter as the Court's calendar permits;

10 The scheduling conference will be scheduled for May 28, 2024 at 9:00 a.m.,
11 or as soon thereafter as the Court's calendar permits and the Joint Rule 26(f) Report
12 shall be filed not later than 14 days before the scheduling conference.

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IT IS SO STIPULATED AND AGREED.

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Dated: May 3, 2024

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7 Dated: May 3, 2024

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ATTESTATION REGARDING SIGNATURES

I, Graham B. LippSmith, attest that all signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: May 3, 2024

/s/ Graham B. LippSmith

Graham B. LippSmith